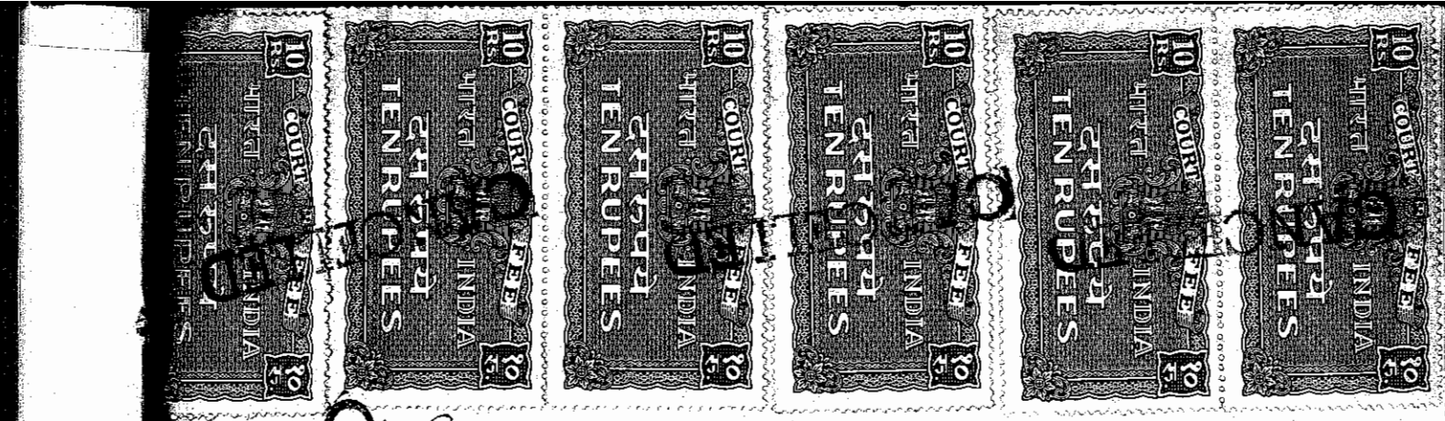

(3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.No. 659 /2001.

PETITIONER : Harinarayan Mishra, S/o. late Hemnandan Mishra, aged about 60 years, Retd. R.T.J.C.O. No. 75449, village Karanji Rly. Colony, Teh. Surajpur, Distt. Sarguja, Chh.

VERSUS

RESPONDENTS :

1. The State of Chhattisgarh Through Secretary, Revenue Deptt., Raipur, Chh.
2. The Collector, Sarguja, Ambikapur, Chh.
3. The Commissioner, Bilaspur Division, Bilaspur, Chh.

R. R. No. 422/07 Shri Alok Prasad 15-3-07

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(41)

W.P.No. आदेश पत्रक 459/2001

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
10.4.2001	Petitioner by Shri Sunil Sinha, Advocate. Respondent-State by Dr. N.K.Shukla, Dy. A.G. Heard. The matter relates to cancellation of order of allotment of land granted earlier by the Competent Authority after two years of the settlement in favour of the petitioner. Dr. Shukla and Mr. Sinha have taken me through the impugned order. It is clear that the impugned order of cancellation was issued without effecting service on writ petitioner. An attempt to serve notice as ~~reported~~ recorded in the order was made, however the process server was unable to effect service as he could not find the writ petitioner. Be that as it may, Mr. Sinha is right to say that as notice was not effected to the petitioner he could not present his case before the Competent Authority. It appears to me that the petitioner should be given an opportunity of hearing. Now that the petitioner has approached this Court, I am of the view that it would be reasonable that I direct that the petitioner in turn approach ~~to~~ the Collector, Surguja to give him an opportunity of being heard. He should be allowed to produce all available documents in support of his case and he shall also be given personal hearing	

[पीछे देखिये

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	hearing. Let the writ petitioner approach the concerned Collector within 15 dyas from today. I shall make it clear that the Collector shall pass final orders on merits and only after hearing both the parties. In this view of the matter the impugned orders contained in Annexures P/9 and P/10 dt. 10.12.98 and 14.9.99 are quashed. Certified copy by tomorrow. Thakur. Sd/- Chief Justice	